

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PALMCO ADMINISTRATION, LLC,

Petitioner,

v.

FLOWER PAYMENT, INC. (F/K/A  
FLOWER POWER, INC. AND FLOWER  
POWER CO. LTD. JAPAN A/K/A  
FLOWER DENRYOKY KABUSHIKI  
KAISHA),

Respondent.

Civil Action No. 1:23-cv-07409-VM

**DECLARATION OF MARY M. UTTERBACK**

I, Mary M. Utterback Esq., the undersigned, hereby declare and state under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a Partner in the New York office of the law firm King & Wood Mallesons LLP (“**KWM NY**”) and an attorney admitted to practice law in the District of Columbia, State of Maryland, and the Commonwealth of Virginia and admitted *pro hac vice* in the above-captioned matter. KWM NY is counsel to Respondent, Flower Payment, Inc. (“**Flower Payment**”). My statements set forth herein are based on my personal knowledge.

2. I submit this declaration in support of KWM NY’s Motion to Withdraw as counsel of record for Flower Payment.

3. Flower Payment has discharged KWM NY as its counsel in this action and consented to its withdrawal.

4. Flower Payment has instructed KWM NY to take no further action in relation to this action. Flower Payment further instructed KWM NY to cease acting as its

legal representative, refrain from engaging in any further arguments on the merits of this case, and that it will not cooperate in any manner moving forward.

5. Flower Payment has informed KWM NY that if its motion to withdraw is denied, that it will not pay any fees incurred for further work in this action.

6. Flower Payment has not objected to KWM NY asserting a retaining lien.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 3, 2025

By: /s/ M.M. Utterback  
M. M. Utterback